

Message

---

**From:** Braley, Susan (ECY) [SUBR461@ECY.WA.GOV]  
**Sent:** 9/26/2014 12:03:21 AM  
**To:** Szelag, Matthew [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=f1e48230d96943f8acb72810e32ce8d6-Szelag, Matthew]; Chung, Angela [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=b3e49fcb1ad46f1bdbe92ebb4936350-Chung, Angela]  
**CC:** cnie461@ecy.wa.gov [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=084bdcc64365427fa3795d176eb53d94-cnie461@ecy.wa.gov]; Brown, Chad (ECY) [CHBR461@ECY.WA.GOV]; mgil461@ECY.WA.GOV [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c7ab63dfcb56401284b16f8d24341337-mgil461@ECY.WA.GOV]  
**Subject:** RE: Compliance schedule language  
**Attachments:** Impl Tools-PRELIM DRAFT FINAL.docx

Thanks Matt. And I should note that Chad suggested we say "uses" since we already reference criteria/standards in the sentence above. So it would say:

(i) Aquatic life uses and

(ii) Uses other than aquatic life.

I have attached the latest "preliminary draft" of the implementation tools that will get posted on September 30. The compliance schedule language starts on page 10 of the document, so you can see the full context.

Thanks and yes, we would need feedback asap to post Tuesday morning. Mostly want to know if this helps with the issue of things being held up because of ESA.

Susan

---

**From:** Szelag, Matthew [mailto:Szelag.Matthew@epa.gov]  
**Sent:** Thursday, September 25, 2014 4:53 PM  
**To:** Braley, Susan (ECY); Chung, Angela  
**Cc:** Niemi, Cheryl (ECY); Brown, Chad (ECY); Gildersleeve, Melissa (ECY)  
**Subject:** RE: Compliance schedule language

Hi Susan,

At first glance this looks pretty clear to me. I may try to run it by one of our attorneys for their thoughts on the overall structure, but I realize you're probably looking for feedback asap to get something out there on the 30<sup>th</sup>. I'll try to do my best. Will the next section of the rule begin with subsection (b)?

Thanks for keeping us informed on this.

---

Matthew Szelag | Water Quality Standards Coordinator  
U.S. Environmental Protection Agency | Region 10  
1200 6th Avenue, Suite 900, OWW-191 | Seattle, WA 98101  
P: (206) 563.5171 | [szelag.matthew@epa.gov](mailto:szelag.matthew@epa.gov)

---

**From:** Braley, Susan (ECY) [mailto:SUBR461@ECY.WA.GOV]  
**Sent:** Thursday, September 25, 2014 4:00 PM  
**To:** Chung, Angela; Szelag, Matthew

Cc: [cnie461@ecy.wa.gov](mailto:cnie461@ecy.wa.gov); Brown, Chad (ECY); [mgil461@ECY.WA.GOV](mailto:mgil461@ECY.WA.GOV)

Subject: Compliance schedule language

Matt/Angela—We are getting close to final implementation tools language and I am trying to break out aquatic life from criteria that apply to other uses (that don't need to go through ESA). Can you look at the language below and let me know what you think? This would be up at the very front of the section. It will be pretty obvious that we are purposely separating out aquatic life from other uses, but I guess since that's what we are doing we might as well be direct about it.

Thx--Susan

**(4) General allowance for compliance schedules.**

- (a) Permits and orders ~~and directives of~~ issued by the department for existing discharges may include a schedule for achieving compliance with effluent limits and water quality standards~~criteria contained in this chapter~~ that apply to:

(i) Aquatic life criteria and

(ii) Criteria that apply to all uses other than aquatic life.